

Compliance Assistance

**Diane Brockshus, Environmental Specialist, AQB
Compliance Unit**

- **Common Compliance Issues**
- **Late Title V Reporting**
- **Stack Testing**
- **Variances**
- **MACT Initial Notifications**

Common Compliance Issues

NOVs issued since January 2003

Violation	% of Total
Construction w/o permit	48%
Late TV Reports/Fees	23%
Permit Conditions	10%
Stack Testing	6%
Excess Emissions	4%
Late TV Applications	4%
Other	5%
Totals	100%

Common Compliance Issues

- Construction without permit
- Permit conditions: recordkeeping; 12-month rolling totals, fuel sulfur content, maintenance records
- Late Title V reporting: compliance certifications, semi-annual monitoring reports, emission inventories, fees

Late Title V Reporting

- **DNR general policy for late submittals**
 - issue NOV
 - if late more than 45 days, possible penalty
 - if late three times in a row, possible penalty
- **EPA considers it a High Priority Violation if late more than 45 days, and may assess a penalty**
- **Late Title V reports need to be included as a deviation on next year's compliance certification**

Stack Testing

- **Stack testing below rated capacity in permit**
 - Permit requires operating the source at maximum capacity during compliance test
 - Should discuss capacity with permit engineer before permit is written
 - Tests >85% of capacity *usually* accepted
- **Possible solutions if testing was below capacity**
 - Modify permit to limit production rate
 - Retest at higher production rate
 - Test results accepted at tested production rate

Variations

- You can find variance information in our rules at 567 IAC 21.2
- Be sure to address each item in the “Contents” section of the rules
 - Emission estimates and sufficient justification for the request are commonly overlooked
- We can't grant variations from NSPS, MACT, or PSD requirements
- Trial burns limited to time necessary to collect emissions and operational data

MACT Initial Notifications

- Not the same as 112(j) MACT Hammer notifications
- Notification template available at <http://www.epa.gov/ttn/atw/macttools.html> under “MACT Implementation Tools-Completed Projects”
- Usually due 120 days after a MACT is promulgated (sometimes later)
- Boiler MACT initial notification is due on March 12, 2005

Contact information

- (515) 242-5100 or (515) 281-4801
- diane.brockshus@dnr.state.ia.us
- www.iowacleanair.com ✓